

ERIC S. SMITH, F 0157
SMITH & WILLIAMS
Attorneys at Law
P.O. Box 5133 CHRB
Saipan MP 96950
Tel: 233-3334
Fax: 233-3336

Attorneys for the Plaintiff

**UNITED STATES DISTRICT COURT
FOR THE
NORTHERN MARIANA ISLANDS**

TRANS PACIFIC EXPORT CO., LLC,)
Plaintiff,)
v.)
SABLAN CONSTRUCTION COMPANY,)
LTD. and JESUS S. SABLAN,)
Defendants.)

Civil Action No. 02-0009

**MOTION FOR AN ORDER
IN AID OF JUDGMENT**

Date:
Time:
Judge: Hon. Alex R. Munson

COMES NOW TRANS PACIFIC EXPORT CO., LLC., Plaintiff herein, by and through its attorneys, Smith & Williams, and moves this Court for an Order in Aid of Judgment on the grounds that pursuant to a *Settlement Agreement and Consent Judgment Thereon* dated August 5, 2002, judgment was entered in this matter in favor of Plaintiff and against Defendants in the amount of \$141,627.35, plus cost and interest. On August 5, 2002, this Court ordered Sablan Construction Company, Ltd. and Jesus S. Sablan (judgment debtors) to make monthly payments of \$2,500.00, beginning September 1, 2002, and every 1st of the month thereafter until fully paid. Judgment debtors stated in January 2007, that they could pay \$1000.00 per month. Since then the judgement debtors have not been consistent with their payments in that they have only paid the amount of \$9,000.00 since January 2007. They have made no payments for the months of November or December. The outstanding balance in their account as of the filing of this

1 motion is \$55,786.42.

2 Debtor Jesus S. Sablan died in 2006. He was the President of Sablan
3 Construction Company, Ltd. Plaintiff does not believe that a probate action has been
4 initiated in any court for the assets of Jesus S. Sablan. Therefore, Plaintiff is not able at
5 this time to make a claim against the estate of Jesus S. Sablan.

6 For these reasons, Plaintiff believes that it is necessary to examine once again the
7 judgment debtors to determine their ability to pay more than that have in the past year on
8 the Judgment amount.

9
10 Date: December 18, 2007 _____ //S//
11 ERIC S. SMITH
12 Attorney for the Plaintiff
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28